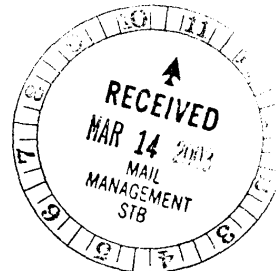


207391

Freeborn & Peters

March 13, 2003

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001



Attorneys at Law

311 South Wacker Drive
Suite 3000
Chicago, Illinois
60606-6677
Tel 312.360.6000

Brian Nettles
Paralegal
Direct 312.360.6336
Fax 312.360.6596
bnettl@
freebornpeters.com

Chicago

Springfield

**Re: *Surface Transportation Board Docket No. AB-6 (Sub-No. 403X);
The Burlington Northern and Santa Fe Railway Company Abandonment
of Wichita, Kansas Trackage and between Wichita and Valley Center,
Kansas***

Dear Secretary Williams:

Upon recent review of the above mentioned Notice of Exemption, I noticed that question 7(i) on page 5 of the environmental report was incomplete. The answer states "This abandonment should have no adverse effect on health or public safety. The proposed abandonment will eliminate freight service over 34 public crossings and 8 private crossings. During the salvage operations on the line, precautions". Unfortunately, the last sentence of the answer was cut off. The last sentence should read "During the salvage operations on the line, precautions will be taken to ensure public safety, and contractors will be required to satisfy all applicable health and safety laws and regulations."

Enclosed please find the original and ten copies of the amended page 5 for the environmental report.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brian Nettles".

Brian Nettles

ENTERED
Office of Proceedings

MAR 14 2003

Part of
Public Record

(6) Noise: If any of the thresholds identified in item (5)(c) of this section are surpassed, state whether the proposed action will cause:

(i) An incremental increase in noise levels of three decibels Ldn or more,

N/A

(ii) An increase to a noise level of 76 decibels Ldn or greater. If so, identify sensitive receptors (e.g. schools, libraries, hospitals, residences, retirement communities and nursing homes) in the project area and quantify the noise increase for those receptors if the thresholds are surpassed.

N/A

(7) Safety: (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad crossings).

This abandonment should have no adverse effect on health or public safety. The proposed abandonment will eliminate freight service over 34 public crossings and 8 private crossings. During the salvage operations on the line, precautions will be taken to ensure public safety, and contractors will be required to satisfy all applicable health and safety laws and regulations.

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills, and the likelihood of and accidental release of hazardous materials.

Abandonment will not result in transportation of hazardous materials.

(iii) If there are any known hazardous waste site or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

There is no evidence of known hazardous waste site or sites where there have been known hazardous materials spills on the right of way between Wichita, Kansas and Valley Center, Kansas between M.P. 515.23 and 509.30 or in and near Wichita, Kansas between M.P. 494.22 and M.P. 505.20.